

septic, Oxygen bearing Oils." Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article were false and fraudulent: (Carton) "A soothing external application for relief of pain and soreness and certain forms of Congestion and Inflammation that may respond to external Medication. Used for Pneumonia, Coughs \* \* \* Hay Fever, Influenza, Croup, Sore Throat and Pleurisy"; (jar label) "'First thought to the injured' \* \* \* as a massage for Swollen and stiff Joints. \* \* \* Influenza, Pneumonia, Coughs \* \* \* Sore Throat, Croup, Earache"; (circular) "For Coughs \* \* \* Croup, Sore Throat, Pneumonia, Pleurisy. \* \* \* Pneumonia—Apply Kap-Oil thickly to the chest, throat and on the back, between the shoulders, and cover with warm or hot flannels. Change the application as often as needed. Take portion of Kap-Oil size of hazelnut, let dissolve in mouth and swallow slowly. This should be done twice a day. \* \* \* same treatment as for Pneumonia. Sore Throat—Apply freely, take a little Kap-Oil as directed, and inhale. Croup—Apply freely to chest, throat and on back between shoulders and cover with warm or hot flannels. \* \* \* Pleurisy—Apply Kap-Oil freely over affected parts and cover with hot cloths. Asthma—Inhale and take internally as directed, also rub a little Kap-Oil in the hollow spot, just below the Adams' Apple. Hay Fever—Inhale and take internally as directed. Tooth-Ache \* \* \* Earache \* \* \* relieves the trouble. \* \* \* a decisive advantage of Kap-Oil is noticeable, especially in severe cases, the surface presents a clean appearance, free from pus formation and undesirable accumulations. \* \* \* To prevent and alleviate pain and suffering of mortal man. \* \* \* for \* \* \* Sore Joints, Boils, Carbuncles."

On June 14, 1933, no claimant having appeared for the property, judgment was entered finding the product misbranded and ordering that it be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

**21185. Misbranding of C. C. Special. U. S. v. 10 Bottles of C. C. Special. Default decree of destruction. (F. & D. no. 30383. Sample no. 35843-A.)**

Examination of the drug preparation C.C. Special disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the label; also that the alcohol present in the article was not declared.

On or about May 9, 1933, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 10 bottles of C.C. Special at Garden City, Mo., alleging that the article had been shipped in interstate commerce, on or about January 28, 1933, by the Supto Manufacturing Co., from Des Moines, Iowa, and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of small proportions of magnesium sulphate, extracts of plant drugs including catechu, a lactate, and sodium benzoate, alcohol (1.7 percent by volume), and water approximately (97 percent), colored with a red dye.

It was alleged in the libel that the article was misbranded in that the package failed to bear a statement on the label of the quantity or proportion of alcohol contained in the article. Misbranding was alleged for the further reason that the following statements regarding its curative or therapeutic effects, appearing on the label, were false and fraudulent: "As a worm preventive \* \* \* Infested Birds For Infested birds."

On June 16, 1933, no claimant having appeared for the property, judgment was entered finding the product misbranded and ordering that it be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

**21186. Misbranding of Joy's Castoria. U. S. v. 597 Bottles of Joy's Castoria. Default decree of condemnation, forfeiture, and destruction. (F. & D. no. 30424. Sample no. 35481-A.)**

Examination of the drug preparation Joy's Castoria disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed on the carton containing the article.

On May 8, 1933, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 597 bottles of Joy's Castoria at Chicago, Ill., alleging that the article had been shipped on or about June 25, 1932, by Mills Sales Co., from New York City, N.Y., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis of a sample of the article by this Department showed that it consisted essentially of extracts of plant drugs including a laxative drug, sugar, glycerin, alcohol, and water.

It was alleged in the libel that the article was misbranded in that the following statements regarding its curative and therapeutic effects were false and fraudulent: (Carton) "For Infants and Children For \* \* \* Colic \* \* \* Diarrhoea, Worms, Convulsions, Feverishness, Loss of Sleep and all Teething Troubles \* \* \* Assimilates the Food, Regulates the Stomach and Bowels Aids Digestion Induces Rest."

On June 16, 1933, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

**21187. Adulteration and misbranding of fluidextract of ergot. U. S. v. 4 Bottles of Fluid Extract Ergot. Default decree of destruction entered. (F. & D. no. 29944. Sample no. 34092-A.)**

This case involved a shipment of fluidextract of ergot which was represented to be of pharmacopoeial standard and which was found to have a potency of less than one-fifth the potency required by the United States Pharmacopoeia. The article, because of its low potency, would not produce the therapeutic effects claimed in the labeling.

On March 16, 1933, the United States attorney for the Eastern District of Arkansas, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 4 bottles of the said fluidextract of ergot at Little Rock, Ark., alleging that the article had been shipped in interstate commerce, on or about February 15, 1933, by the Meyer Bros. Drug Co., from St. Louis, Mo., and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

It was alleged in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of strength as determined by the test laid down in the said pharmacopoeia.

Misbranding was alleged for the reason that the following statements on the label were false and misleading: "Fluidextract Ergot, U.S.P. \* \* \* One Cc. of this Fluidextract represents one gramme of superior standard ergot." Misbranding was alleged for the further reason that the following statements regarding the curative and therapeutic effects of the article, were false and fraudulent: "Nervous and muscular uterine stimulant, hemostatic. Average dose of the Fluidextract—Thirty Minims (2 Cc.) as required."

On June 29, 1933, no claimant having appeared for the property, judgment was entered ordering that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

**21188. Misbranding of Witter Water. U. S. v. 2,199 Cartons of Witter Water. Consent decree of condemnation and forfeiture. Product released under bond to be relabeled. (F. & D. no. 30384. Sample no. 33900-A.)**

Examination of the mineral water involved in this case disclosed that it contained no ingredient or combination of ingredients capable of producing certain curative and therapeutic effects claimed in the circular shipped with the article.

On or about May 3, 1933, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 2,199 cartons, each containing 6 bottles of Witter Water, at Chicago, Ill., alleging that the article had been shipped in interstate commerce, June 9, 1932, by the Witter Water Co., from Ukiah, Calif., and charging misbranding in violation of the Food and Drugs Act as amended.